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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 WALTER WATSON,

12 Petitioner,

13 v.

14 R. DAVIS,

15 Respondent.  
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No. 2:16-cv-1784-EFB P

ORDER


17 Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to  
18 28 U.S.C. § 2254. He challenges the May 27, 2015 decision of the California Board of Parole  
19 Hearings to deny him parole. Consequently, the instant petition is one for review of the execution  
20 of a sentence imposed by a California state court. *See Rosas v. Nielsen*, 428 F.3d 1229, 1232 (9th  
21 Cir. 2005) (denial of parole is “a decision ‘regarding the execution’ of” a prison sentence.) As a  
22 general rule, “[t]he proper forum to challenge the execution of a sentence is the district where the  
23 prisoner is confined.” *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Petitioner is  
24 incarcerated at San Quentin State Prison, County of Marin, which lies in the Northern District of  
25 California. *See* 28 U.S.C. § 84(a).

26 Pursuant to 28 U.S.C. § 2241(d), courts in both the district of conviction and the district of  
27 confinement have concurrent jurisdiction over applications for habeas corpus filed by state  
28 prisoners. While petitioner was convicted in this district, for the reasons set forth *supra*, the

1 proper forum for the instant challenge is in the district of confinement. In the interest of justice,  
2 this court may transfer this action “to any other district where it might have been brought.” 28  
3 U.S.C. § 1404(a). Therefore, in the interest of justice, this action will be transferred to the United  
4 States District Court for the Northern District of California.

5 In accordance with the above, IT IS HEREBY ORDERED that this matter is transferred to  
6 the United States District Court for the Northern District of California. 28 U.S.C. § 2241(d); 28  
7 U.S.C. § 1406(a).

8 DATED: August 4, 2016.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE